



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397

JB PRITZKER, GOVERNOR

JOHN J. KIM, DIRECTOR

217-785-0561

June 1, 2023

CERTIFIED MAIL # 7022 3330 0000 8733 2599
RETURN RECEIPT REQUESTED

Stateville Correctional Center
c/o Randy Pfister
16300 Route 53
Crest Hill, IL 60403

**Re: Compliance Commitment Acceptance
Violation Notice: W-2022-00073
STATEVILLE CORRECTIONAL CENTER, IL1977910**

Dear Mr. Pfister:

The Illinois Environmental Protection Agency ("Illinois EPA") has approved the Compliance Commitment Agreement ("CCA") for Stateville Correctional Center. Please find enclosed an executed copy of the CCA for your records.

Failure to fully comply with the CCA may, at the sole discretion of the Illinois EPA, result in referral of this matter to the Office of the Attorney General, the State's Attorney or the United States Environmental Protection Agency.

The CCA does not constitute a waiver or modification of the terms and conditions of any license or permit issued by the Illinois EPA or any other unit or department of local, state or federal government or of any local, state or federal statute or regulatory requirement.

Questions regarding this matter should be directed to Adam Nutt at 217/785-0561. Written communications should be directed to the Illinois Environmental Protection Agency, Bureau of Water, CAS #19, P.O. Box 19276, Springfield, IL 62794-9276, and all communications shall include reference to your Violation Notice Number W-2022-00073.

Sincerely,

Joey L. Logan-Pugh
Manager, Compliance Assurance Section
Division of Public Water Supplies
Bureau of Water

Attachments

cc: Jermiagh Daly
Nicholas Gornick

BOW ID: W1978100003

2125 S. First Street, Champaign, IL 61820 (217) 278-5800
1101 Eastport Plaza Dr., Suite 100, Collinsville, IL 62234 (618) 346-5120
9511 Harrison Street, Des Plaines, IL 60016 (847) 294-4000
595 S. State Street, Elgin, IL 60123 (847) 608-3131

2309 W. Main Street, Suite 116, Marion, IL 62959 (618) 993-7200
412 SW Washington Street, Suite D, Peoria, IL 61602 (309) 671-3022
4302 N. Main Street, Rockford, IL 61103 (815) 987-7760

cc: JERMIAGH DALY
STATEVILLE CORRECTIONAL CENTER
16830 ILLINOIS STATE ROUTE 53
CREST HILL, IL 60434

NICHOLAS GORNICK
5011 DUNBAR COURT
PLAINFIELD, IL 60586

RECEIVED

MAY 28 78

EPA/CAS

STATEVILLE CORRECTIONAL
CENTER
JOLIET, WILL COUNTY, IL
IL1977910

ILLINOIS EPA VN W-2022-00073
BUREAU OF WATER

RECEIVED

MAY 23 2023

COMPLIANCE COMMITMENT AGREEMENT

IEPA/CAS

1. This Compliance Commitment Agreement (“CCA”) is entered into voluntarily by the Illinois Environmental Protection Agency (“Illinois EPA”) and (“Respondent”) (collectively, the “Parties”) under the authority vested in the Illinois EPA pursuant to Section 31(a)(7)(i) of the Illinois Environmental Protection Act (“Act”), 415 ILCS 5/31(a)(7)(i).

II. Allegation of Violations

2. Respondent owns [and/or operates] a community groundwater purchase system in Joliet, Will County, IL.
3. Pursuant to Violation Notice (“VN”) W-2022-00073 issued on January 9, 2023, the Illinois EPA contends that Respondent has violated the following provisions of the Act and Illinois Pollution Control Board (“Board”) Regulations [and Permit, if applicable]:
 - a) Failure to have a comprehensive cross-connection control program. (ongoing violation). Section 18 of the Act, ILCS 5/18, and 35 Ill. Adm. Code 601.101 and 604.1505.
 - b) Failure to maintain records of all backflow preventers that require annual testing. Section 18 of the Act 415 ILCS 5/18, 35 Ill. Adm. Code 601.101 and 604.1505 (b)(5).
 - c) Failure to perform annual testing of all backflow prevention devices in the system. (on-going violation). Section 18 of the Act, 415 ILCS 5/18, and 35 Ill. Adm. Code 601.101 and 604.1510(a).

III. Compliance Activities

4. On March 16, 2023, the Illinois EPA received Respondent's response to VN W-2022-00073, which included proposed terms for a CCA. The Illinois EPA has reviewed Respondent's proposed CCA terms, as well as considered whether any additional terms and conditions are necessary to attain compliance with the alleged violations cited in the VN.
5. Respondent agrees to undertake and complete the following actions, which the Illinois EPA has determined are necessary to attain compliance with the allegations contained in VN W-2022-00073:
 - a) The Illinois EPA acknowledges that Stateville Correctional Center has developed and instituted a comprehensive cross-connection control program that will ensure testing records are maintained.
 - b) The Illinois EPA acknowledges that Stateville Correctional Center has completed annual testing of all backflow prevention devices in the system on March 10, 2023.
 - c) The Illinois EPA acknowledges that Stateville Correctional Center has implemented and Emergency Operations Plan. This plan shall be maintained on-site at Stateville Correctional Center and reviewed every three years.
 - d) The Illinois EPA acknowledges that Stateville Correctional Center has developed a standard operating procedure for issuing boil orders when necessary, and obtaining acceptable coliform sample results prior to lifting boil orders.
 - e) The Illinois EPA acknowledges that Stateville Correctional Center has developed a procedure to ensure that chlorine residual levels are checked and logged daily to help ensure the minimum chlorine residual level is being met in all portions of the distribution system at all times.
 - f) Submit a copy of the facility's cross-connection control program to the Illinois EPA within 30 days, including a schedule for conducting the cross-connection survey, an inventory of all backflow prevention devices in the system, a description of how your water system will evaluate high risk service connections, and a description of how your water system will track cross connection control devices and annual inspections of all such devices.
 - g) Submit a new Contractual Agreement for the services of a Responsible Operator in Charge, which includes the requirement for one site visit per week by the Responsible Operator in Charge, by June 1, 2023.
 - h) Submit an updated Notification of Ownership or Responsible Personnel form indicating the Responsible Operator in Charge (ROINC) by July 1, 2023.

- d) Failure to have an emergency operations plan. (on-going violation). Section 18 of the Act 415 ILCS 5/18, and 35 Ill. Adm. Code 601.101 and 604.135.
- e) Failure to issue boil orders. Section 18 of the Act, 415 ILCS 5/18, and 35 Ill. Adm. Code 601.101 and 604.135(c)(1).
- f) Failure to maintain a minimum free chlorine residual of 0.5 milligrams per Liter (mg/L) or a minimum combined chlorine residual of 1.0 mg/L in all portions of the distribution (on-going violation). Section 18 of the Act, 415 ILCS 5/18, and 35 Ill. Adm. Code 601.101 and 604.725(a).
- g) Failure to provide a mixing device in the elevated storage tank. Section 18 of the Act, 415 ILCS 5/18, and 35 Ill. Adm. Code 601.101 and 604.1300(f).
- h) Delayed and deferred maintenance on critical components of the water storage tank interior, piping, check valve, and overflow have deteriorated beyond maintenance level and now require immediate repair. Section 18 of the Act, 415 ILCS 5/18, and 35 Ill. Adm. Code 601.101, 604.105, and 604.1330(a).
- i) Failure to adequately grade the area around the elevated storage tank resulting in standing surface water within 50 feet of the tank. Section 18 of the Act, 415 ILCS 5/18, and 35 Ill. Adm. Code 601.101 and 604.1300(i).
- j) Failure to obtain construction permits for the installation of multiple water softeners used to treat water that may be used for consumption. Sections 15(a) and 18(a)(3) of the Act, 415 ILCS 5/15 and 5/18, and 35 Ill. Adm. Code 602.101(a) and (b) and 602.200(a) and (b).
- k) Failure to obtain operating permits for the installation of multiple water softeners used to treat water that may be used for consumption. Sections 15(a) and 18(a)(3) of the Act, 415 ILCS 5/15 and 5/18, and 35 Ill. Adm. Code 602.101(a) and (b) and 602.300(a).

- i) Certify on each Monthly Operating Report that the Responsible Operator in Charge has conducted a minimum of one site visit per week and the dates on which the visit occurred, by August 31, 2023, and for each month thereafter.
- j) Stateville Correctional Center shall submit to Illinois EPA a statement certifying that the elevated tower that is no longer in use has been physically disconnected from the rest of the facility's water system by June 1, 2023.
- k) Stateville Correctional Center shall submit a construction permit application for the installation of a mixing device and/or agitator for its 750,000 gallon elevated storage tank by October 1, 2023.
- l) Stateville Correctional Center shall install this mixing device and/or agitator in the elevated storage tank by June 1, 2024.
- m) Stateville Correctional Center shall replace the check valve and rusting parts of the base of the elevated storage tank, piping, and overflow, and send documentation of completion to the Illinois EPA by October 1, 2023.
- n) Stateville Correctional Center shall select a contractor to clean the interior and exterior of the elevated storage tank and notify the Illinois EPA of the selection by October 1, 2023.
- o) Stateville shall complete the interior and exterior cleaning of the elevated storage tank and submit documentation of completion by March 1, 2024.
- p) Stateville Correctional Center shall regrade and install drainage to rectify standing water in the area around the water tower by October 1, 2023.
- q) Stateville Correctional Center shall develop and maintain a systematic hydrant flushing program by June 1, 2023.
- r) Stateville Correctional Center shall submit "as-built" plans and specifications, along with a construction permit application, for the previously installed water softeners used to treat water that may be used for consumption to the Illinois EPA by October 1, 2023.
- s) Stateville Correctional Center shall obtain "as-built" approval from the Illinois EPA for the previously installed water softeners that may be used for consumption by March 1, 2024.
- t) Stateville Correction Center shall submit progress reports to the Illinois EPA documenting the steps it has taken to address the requirements of this Section III.5 by October 1, 2023, and January 1, 2024. The progress reports shall include any measures taken to return to, and maintain compliance.

- u) Once all violations are corrected, Stateville Correctional Center must submit a certification (or a statement) of compliance. You may submit the attached "Illinois EPA Compliance Statement" or other similar writing to satisfy the statement of compliance by March 1, 2024.

IV. Terms and Conditions

6. Respondent shall comply with all provisions of this CCA, including, but not limited to, any appendices to this CCA and all documents incorporated by reference into this CCA. Pursuant to Section 31(a)(10) of the Act, 415 ILCS 5/31(a)(10), if Respondent complies with the terms of this CCA, the Illinois EPA shall not refer the alleged violations that are the subject of this CCA, as described in Section II above, to the Office of the Illinois Attorney General or the State's Attorney of the county in which the alleged violations occurred. Successful completion of this CCA or an amended CCA shall be a factor to be weighed, in favor of the Respondent, by the Office of the Illinois Attorney General in determining whether to file a complaint on its own motion for the violations cited in VN W-2022-00073.
7. This CCA is solely intended to address the violations alleged in Illinois EPA VN W-2022-00073. The Illinois EPA reserves and this CCA is without prejudice to, all rights of the Illinois EPA against Respondent with respect to noncompliance with any term of this CCA, as well as to all other matters. Nothing in this CCA is intended as a waiver, discharge, release, or covenant not to sue for any claim or cause of action, administrative or judicial, civil or criminal, past or future, in law or in equity, which the Illinois EPA may have against Respondent, or any other person as defined by Section 3.315 of the Act, 415 ILCS 5/3.315. This CCA in no way affects the responsibilities of Respondent to comply with any other federal, state or local laws or regulations, including but not limited to the Act, and the Board Regulations [and Permit, if applicable].
8. Pursuant to Section 42(k) of the Act, 415 ILCS 5/42(k), in addition to any other remedy or penalty that may apply, whether civil or criminal, Respondent shall be liable for an additional civil penalty of \$2,000 for violation of any of the terms or conditions of this CCA.
9. This CCA shall apply to and be binding upon the Illinois EPA, and on Respondent and Respondent's officers, directors, employees, agents, successors, assigns, heirs, trustees, receivers, and upon all persons, including but not limited to contractors and consultants, acting on behalf of Respondent, as well as upon subsequent purchasers of Respondent's community groundwater purchase system in Will County, IL.
10. In any action by the Illinois EPA to enforce the terms of this CCA, Respondent consents to and agrees not to contest the authority or jurisdiction of the Illinois EPA to enter into or enforce this CCA, and agrees not to contest the validity of this CCA or its terms and conditions.

11. This CCA shall only become effective:

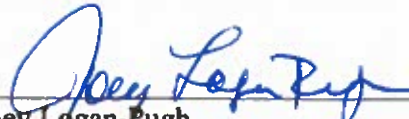
- a) If, within 30 days of receipt, Respondent executes this CCA and submits it, via certified mail, to Illinois EPA, Bureau of Water, Adam Nutt, MC #19, 1021 North Grand Ave East, Springfield, IL 62702. If Respondent fails to execute and submit this CCA within 30 days of receipt, via certified mail, this CCA shall be deemed rejected by operation of law; and
- b) Upon execution by all Parties.

12. Pursuant to Section 31(a)(7.5) of the Act, 415 ILCS 5/31(a)(7.5), this CCA shall not be amended or modified prior to execution by the Parties. Any amendment or modification to this CCA by Respondent prior to execution by all Parties shall be considered a rejection of the CCA by operation of law. This CCA may only be amended subsequent to its effective date, in writing, and by mutual agreement between the Illinois EPA and Respondent's signatory to this CCA, Respondent's legal representative, or Respondent's agent.

AGREED:

FOR THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY:

BY:



Joey Logan-Fugh
Manager, Compliance Assurance Section
Division of Public Water Supplies
Bureau of Water

DATE:

6/1/23

FOR RESPONDENT:

BY:


Charles Truitt
Official Custodian, Stateville Correctional Center

DATE:

5/19/23

Illinois EPA Compliance Statement

You are required to state that you have returned to compliance with the Act and the regulations that were the subject of the violation notice (VN) (415 ILCS 5/31). The owner of the facility must acknowledge compliance and/or that all compliance commitment agreement (CCA) interim measures/events have been successfully completed and compliance has been achieved.

Please complete, sign, and return.

I _____ (*print name*), hereby certify that all violations addressed in Violation Notice (VN) number _____ have been addressed and that compliance was achieved on _____ (*date*).

PWS ID Number

Signature

Title

Telephone Number

Date

Be sure to retain copies of this document for your files. Should you need additional notification forms, please contact this office at (217)785-0561. Return this completed form to:

Illinois Environmental Protection Agency
Compliance Assurance Section #19
Bureau of Water
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

"Any person who knowingly makes a false, fictitious, or fraudulent material statement, orally or in writing, to the Agency,.....related to or required by this Act, a regulation adopted under this Act, any federal law or regulation for which the Agency has responsibility, or any permit, term, or condition thereof, commits a Class 4 felony..." (415 ILCS 5/44(h) (8))